

PS

225

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JEFFREY KLEIN and BRETT BIRDWELL,

Plaintiffs,

v.

NATIONAL RAILROAD PASSENGER  
CORPORATION and NORFOLK  
SOUTHERN CORPORATION,

Defendants.

CIVIL ACTION

NO. 04-CV-955 (LFS)

**FILED**

AUG 6 2009

MICHAEL E. KUNZ, Clerk

By

Dep. Clerk

ORDER

AND NOW, this 10<sup>th</sup> day of *August*, 2009, it is hereby ORDERED that defendants' Uncontested Motion to Vacate is GRANTED. The Decisions and Orders listed below are hereby VACATED. By separate written communication, with copies to counsel listed on the Motion, the Court shall direct LexisNexis and Westlaw to remove the Decisions and Orders listed below from their respective legal research services/databases.

- (a) the District Court's March 31, 2008 Memorandum Order denying Defendants' post-trial motions [reported at 2008 WL 879968 and 2008 U.S. Dist. LEXIS 25990] (District Court Docket No. 208).
- (b) the District Court's October 11, 2006 Memorandum Order denying Defendants' in limine motion regarding evidence of prior electrical contacts [reported at 2006 WL 2927280 and 2006 U.S. Dist. LEXIS 73940] (District Court Docket No. 130).
- (c) the District Court's October 12, 2006 Memorandum Order denying Defendants' in limine motion regarding evidence of prior electrical contacts [reported at 2006 WL 3000955 and 2006 U.S. Dist. LEXIS 75942] (District Court Docket No. 145).

- (d) the District Court's March 31, 2006 Memorandum Order denying Defendants' summary judgment motion [reported at 2006 WL 859442 and 2006 U.S. Dist. LEXIS 15331] (District Court Docket No. 58).
- (e) the District Court's Memorandum Order, entered August 17, 2006, denying Amtrak's motion to certify pursuant to 28 USC 1292(b) [reported at 2006 WL 2385516 and 2006 U.S. Dist. LEXIS 57613] (District Court Docket No. 72).
- (f) the District Court's October 2, 2006 Memorandum Order granting Plaintiffs' motion for reconsideration of the District Court's order of July 13, 2006 with respect to Norfolk Southern's liability as a non-possessor of land [reported at 2006 U.S. Dist. LEXIS 80992; not reported in Westlaw] (District Court Docket No. 111).
- (g) the District Court's October 2, 2006 Order denying Defendants' in limine motion regarding Amtrak's internal memorandum dated November 17, 1983 and Amtrak's June 20, 1984 letter [This Order is not reported in LexisNexis or Westlaw] (District Court Docket No. 119).
- (h) the District Court's October 10, 2006 Memorandum Order denying Defendants' in limine motion regarding evidence of prior electrical contacts for the purpose of proving punitive damages [This Order is not reported in LexisNexis or Westlaw] (District Court Docket No. 129).

BY THE COURT:

  
Hon. Lawrence F. Stengel, J.